

1 H.67

2 An act relating to household products containing hazardous substances

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. FINDINGS

5 The General Assembly finds that:

6 (1) Thousands of household products sold in the State contain
7 substances designated as hazardous under State or federal law.

8 (2) Vermont's hazardous waste rules establish specific requirements for
9 the management of hazardous waste, including a prohibition on disposal in
10 landfills.

11 (3) Leftover household products, known as household hazardous waste
12 (HHW), are regulated through a requirement that municipal solid waste
13 management entities (SWMEs) include provisions in solid waste
14 implementation plans for the management and diversion of unregulated
15 hazardous waste. The State solid waste management plan also requires the
16 SWMEs to each hold a minimum of two HHW collection events every year.

17 (4) Many SWMEs already offer more than two HHW collection events,
18 and seven of the SWMEs have established permanent facilities for the regular
19 collection of HHW.

20 (5) HHW collection events and permanent facilities are expensive to
21 operate, and SWMEs spend approximately \$2.2 million a year to manage
22 HHW, costs that are subsequently passed on to the residents of Vermont

1 through taxes, fees, or disposal charges.

2 (6) As a result of the failure to divert HHW, it is estimated that 855 tons
3 or more per year of HHW are being disposed of in landfills.

4 (7) There is general agreement among the SWMEs and the Agency of
5 Natural Resources that additional collection sites and educational and
6 informational activities are necessary to capture more of the HHW being
7 disposed of in landfills.

8 (8) Funding constraints are a current barrier to new collection sites and
9 educational and informational activities.

10 (9) HHW released into the environment can contaminate air,
11 groundwater, and surface waters, thereby posing a significant threat to the
12 environment and public health.

13 (10) To improve diversion of HHW from landfills, reduce the financial
14 burden on SWMEs and taxpayers, reduce the cost of the overall system of
15 managing HHW, and lessen the environmental and public health risk posed by
16 improperly disposed of HHW, the State shall implement a program to require
17 the manufacturers of household products containing a hazardous substance to
18 implement a stewardship organization to collect household products containing
19 a hazardous substance free of charge to the public.

1 Sec. 2. 10 V.S.A. chapter 164B is added to read:

2 CHAPTER 164B. COLLECTION AND MANAGEMENT OF
3 HOUSEHOLD HAZARDOUS PRODUCTS

4 § 7181. DEFINITIONS

5 As used in this chapter:

6 (1) “Agency” means the Agency of Natural Resources.

7 (2) “Consumer product” means any product that is regularly used or
8 purchased to be used for personal, family, or household purposes.

9 (3) “Covered entity” means any person who presents to a collection
10 facility or event that is included in an approved collection plan any number of
11 covered household hazardous products, with the exception of large quantity
12 generators or small quantity generators as those terms are defined in the
13 Agency of Natural Resources’ Vermont Hazardous Waste Regulations.

14 (4)(A) “Covered household hazardous product” means a consumer
15 product offered for retail sale that is contained in the receptacle in which the
16 product is offered for retail sale, if the product has any of the following
17 characteristics:

18 (i) the product or a component of the product is a hazardous waste
19 under subchapter 2 of the Vermont Hazardous Waste Management
20 Regulations, regardless of the status of the generator of the hazardous waste; or

21 (ii) the product is a gas cylinder.

1 (B) “Covered household hazardous product” does not mean any of
2 the following:

3 (i) a primary or rechargeable battery;

4 (ii) a lamp that contains mercury;

5 (iii) a thermostat that contains mercury;

6 (iv) architectural paint as that term is defined in section 6672 of
7 this title;

8 (v) a covered electronic device as that term is defined in section
9 7551 of this title;

10 (vi) a pharmaceutical drug;

11 (vii) citronella candles;

12 (viii) flea and tick collars;

13 (ix) pesticides required to be registered with the Agency of
14 Agriculture, Food and Markets;

15 (x) products that are intended to be rubbed, poured, sprinkled on,
16 sprayed on, introduced into, or otherwise applied to the human body or any
17 part of a human for cleansing, moisturizing, sun protection, beautifying,
18 promoting attractiveness, or altering appearance, unless designated as a
19 hazardous material or a hazardous waste by the Secretary of Natural
20 Resources; or

21 (xi) gas cylinders determined by the Secretary by rule not to pose

1 an unacceptable risk to human health, solid waste facility operation, or the
2 environment, and which are not hazardous waste.

3 (5)(A) “Gas cylinder” means:

4 (i) any nonrefillable cylinder and its contents supplied to a
5 consumer for personal, family, or household use and shall include those
6 containing flammable pressurized gas, spray foam insulating products, single-
7 use and rechargeable handheld fire extinguishers, helium, or carbon dioxide, of
8 any size not exceeding any cylinder with a water capacity of 50 pounds,
9 including seamless cylinders and tubes, welded cylinders, and insulated
10 cylinders intended to contain helium, carbon dioxide, or flammable materials
11 such as propane, butane, or other flammable compressed gasses; or

12 (ii) refillable cylinders containing propane for personal, family, or
13 household use not exceeding a water capacity of one pound.

14 (B) “Gas cylinder” does not include any medical or industrial-grade
15 cylinder.

16 (6)(A) “Manufacturer” means a person who:

17 (i) manufactures or manufactured a covered household hazardous
18 product under its own brand or label for sale in the State;

19 (ii) sells in the State under its own brand or label a covered
20 household hazardous product produced by another supplier;

21 (iii) owns a brand that it licenses or licensed to another person for

1 use on a covered household hazardous product sold in the State;

2 (iv) imports into the United States for sale in the State a covered
3 household hazardous product manufactured by a person without a presence in
4 the United States;

5 (v) manufactures a covered household hazardous product for sale
6 in the State without affixing a brand name; or

7 (vi) assumes the responsibilities, obligations, and liabilities of a
8 manufacturer as defined under subdivisions (i) through (v) of this subdivision
9 (6)(A), provided that the Secretary may enforce the requirements of this
10 chapter against a manufacturer defined under subdivisions (i) through (v) of
11 this subdivision (6)(A) if a person who assumes the manufacturer's
12 responsibilities fails to comply with the requirements of this chapter.

13 (B) "Manufacturer" does not mean a person set forth under
14 subdivisions (A)(i)–(vi) of this subdivision (6) if the person manufacturers,
15 sells, licenses, or imports less than \$5,000.00 of covered household hazardous
16 products in the United States in a program year and is registered with the
17 Secretary.

18 (7) "Orphan covered product" means a covered household hazardous
19 product for which no manufacturer is participating in a stewardship
20 organization pursuant to section 7182 of this title.

21 (8) "Program year" means the period from January 1 through

1 December 31.

2 (9) “Retailer” means a person who sells a covered household hazardous
3 product in the State through any means, including a sales outlet, a catalogue,
4 the telephone, the Internet, or any electronic means.

5 (10) “Secretary” means the Secretary of Natural Resources.

6 (11) “Sell” or “sale” means any transfer for consideration of title or of
7 the right to use by lease or sales contract a covered household hazardous
8 product to a person in the State of Vermont. “Sell” or “sale” does not include
9 the sale, resale, lease, or transfer of a used covered household hazardous
10 product or a manufacturer’s wholesale transaction with a distributor or a
11 retailer.

12 (12) “Stewardship organization” means a legal entity such as an
13 organization, association, or entity that has developed a system, method, or
14 other mechanism that assumes the responsibilities, obligations, and liabilities
15 under this chapter of multiple manufacturers of covered household hazardous
16 products and that is:

17 (A) exempt from taxation under 26 U.S.C. §501(c)(3) of the Internal
18 Revenue Code; and

19 (B) created by a group of producers to implement a collection plan in
20 accordance with section 7183 of this title.

1 § 7182. SALE OF COVERED HOUSEHOLD HAZARDOUS PRODUCTS:

2 STEWARDSHIP ORGANIZATION REGISTRATION

3 (a) Sale prohibited. Beginning six months after a final decision on the
4 adequacy of a collection plan by the Secretary, a manufacturer of a covered
5 household hazardous product shall not sell, offer for sale, or deliver to a
6 retailer for subsequent sale a covered household hazardous product unless all
7 the following have been met:

8 (1) The manufacturer is participating in a stewardship organization
9 implementing an approved collection plan.

10 (2) The name of the manufacturer, the manufacturer's brand, and the
11 name of the covered household hazardous product are submitted to the Agency
12 of Natural Resources by a stewardship organization and listed on the
13 stewardship organization's website as covered by an approved collection plan.

14 (3) The stewardship organization in which the manufacturer participates
15 has submitted an annual report consistent with the requirements of section
16 7185 of this title.

17 (4) The stewardship organization in which the manufacturer participates
18 has conducted a plan audit consistent with the requirements of subsection
19 7185(b) of this title.

20 (b) Stewardship organization registration requirements.

21 (1) On or before January 1, 2025 and annually thereafter, a stewardship

1 organization shall file a registration form with the Secretary. The Secretary
2 shall provide the registration form to the stewardship organization. The
3 registration form shall include:

4 (A) a list of the manufacturers participating in the stewardship
5 organization;

6 (B) a list of the brands of each manufacturer participating in the
7 stewardship organization;

8 (C) a list of the covered household hazardous products of each
9 manufacturer participating in the stewardship organization;

10 (D) the name, address, and contact information of a person
11 responsible for ensuring compliance with this chapter;

12 (E) a description of how the stewardship organization meets the
13 requirements of subsection 7184(b) of this title, including any reasonable
14 requirements for participation in the stewardship organization; and

15 (F) the name, address, and contact information of a person for a
16 nonmember manufacturer to contact regarding how to participate in the
17 stewardship organization to satisfy the requirements of this chapter.

18 (2) A renewal of a registration without changes may be accomplished
19 through notifying the Agency of Natural Resources on a form provided by the
20 Agency.

1 § 7183. COLLECTION PLANS

2 (a) Collection plan required. Prior to July 1, 2025, any stewardship
3 organization registered with the Secretary as representing manufacturers of
4 covered household hazardous products shall coordinate and submit to the
5 Secretary for review one collection plan for all manufacturers.

6 (b) Collection plan; minimum requirements. Each collection plan shall
7 include, at a minimum, all of the following requirements:

8 (1) List of participants. A list of the manufacturers, brands, and
9 products participating in the collection plan and a methodology for adding and
10 removing manufacturers and notifying the Agency of new participants.

11 (2) Free statewide collection of covered household hazardous products.
12 The collection program shall provide for free, convenient, and accessible
13 statewide opportunities for the collection from covered entities of covered
14 household hazardous products, including orphan covered products. A
15 stewardship organization shall accept all covered household hazardous
16 products collected from a covered entity and shall not refuse the collection of a
17 covered household hazardous product, including orphan covered household
18 products, based on the brand or manufacturer of the covered household
19 hazardous product unless specifically exempt from this requirement. The
20 collection program shall also provide for the payment of collection, processing,
21 and end-of-life management of the covered household hazardous products.

1 Collection costs include facility costs, equipment costs, labor, supplies,
2 maintenance, events costs, and event contractor costs, including collection
3 event set-up fees, environmental service fees, insurance fees, and shipping
4 containers and materials.

5 (3) Convenient collection location. The stewardship organization shall
6 develop a collection program that allows all municipal household hazardous
7 waste collection programs to opt to be a part of the collection plan, including
8 collection events and facilities offered by solid waste planning entities. The
9 plan shall make efforts to site points of collection equitably across all regions
10 of the State to allow for convenient and reasonable access of all Vermonters to
11 collection facilities or collection events.

12 (4) Public education and outreach. The collection plan shall include an
13 education and outreach program that shall include a website and may include
14 media advertising, retail displays, articles and publications, and other public
15 educational efforts. Outreach and education shall be suitable for the State's
16 diverse ethnic populations, through translated and culturally appropriate
17 materials, including in-language and targeted outreach. Public education and
18 outreach should include content to increase meaningful participation by
19 environmental justice focus populations as required by 3 V.S.A. chapter 72.
20 During the first year of program implementation and two years after adoption
21 of the collection plan, each stewardship organization shall carry out a survey of

1 public awareness regarding the requirements of the program established under
2 this chapter that can identify communities that have disparities in awareness
3 and need more outreach. Each stewardship organization shall share the results
4 of the public awareness surveys with the Secretary. If multiple stewardship
5 organizations are implementing plans approved by the Secretary, the
6 stewardship organizations shall coordinate in carrying out their education and
7 outreach responsibilities under this subdivision and shall include in their
8 annual reports to the Secretary a summary of their coordinated education and
9 outreach efforts. The education and outreach program and website shall notify
10 the public of the following:

11 (A) that there is a free collection program for covered household
12 hazardous products;

13 (B) the location and hours of operation of collection points and how a
14 covered entity can access this collection program;

15 (C) the special handling considerations associated with covered
16 household hazardous products; and

17 (D) source reduction information for consumers to reduce leftover
18 covered household products.

19 (5) Compliance with appropriate environmental standards. In
20 implementing a collection plan, a stewardship organization shall comply with
21 all applicable laws related to the collection, transportation, and disposal of

1 hazardous waste. A stewardship organization shall comply with any special
2 handling or disposal standards established by the Secretary for covered
3 household hazardous products or for the collection plan of the manufacturer.

4 (6) Method of disposition. The collection plan shall describe how
5 covered household hazardous products will be managed in the most
6 environmentally and economically sound manner, including following the
7 waste-management hierarchy. The management of covered household
8 hazardous products under the collection plan shall use management activities
9 in the following priority order: source reduction, reuse, recycling, energy
10 recovery, and disposal. Collected covered household hazardous products shall
11 be recycled when technically and economically feasible.

12 (7) Performance goals. A collection plan shall include:

13 (A) A performance goal for covered household hazardous products
14 determined by the number of total participants at collection events and
15 facilities listed in the collection plan during a program year divided by the total
16 number of households. The number of households shall include seasonal
17 households. The calculation methodology for the number of households shall
18 be included in the plan.

19 (B) At a minimum, the collection performance goal for the first
20 approved plan shall be an annual participation rate of five percent of the
21 households for every collection program based on the number of households

1 the collection program serves. After the initial approved program plan, the
2 stewardship organization shall propose performance goals for subsequent
3 program plans. The Secretary shall approve the performance goals for the plan
4 at least every five years. The stewardship organization shall use the results of
5 the most recent waste composition study required under 6604 of this title and
6 other relevant factors to propose the performance goals of the collection plan.

7 If a stewardship organization does not meet its performance goals, the
8 Secretary may require the stewardship organization to revise the collection
9 plan to provide for one or more of the following: additional public education
10 and outreach, additional collection events, or additional hours of operation for
11 collection sites. A stewardship organization is not authorized to reduce or
12 cease collection, education and outreach, or other activities implemented under
13 an approved plan on the basis of achievement of program performance goals.

14 (8) Collection plan funding. The collection plan shall describe how the
15 stewardship organization will fund the implementation of the collection plan
16 and collection activities under the plan, including the costs for education and
17 outreach, collection, processing, and end-of-life management of the covered
18 household hazardous product. Collection costs include facility costs,
19 equipment costs, labor, supplies, maintenance, events costs, and event
20 contractor costs, including collection event set-up fees, environmental service
21 fees, insurance fees, and shipping containers and materials. The collection

1 plan shall include how municipalities will be compensated for all costs
2 attributed to collection of covered household hazardous products. The
3 Secretary shall resolve disputes relating to compensation.

4 (c) Term of collection plan. A collection plan approved by the Secretary
5 under section 7187 of this title shall have a term not to exceed five years,
6 provided that the stewardship organization remains in compliance with the
7 requirements of this chapter and the terms of the approved collection plan.

8 (d) Collection plan implementation. Stewardship organizations shall
9 implement the collection plan on or before six months after the date of a final
10 decision by the Secretary on the adequacy of the collection plan.

11 § 7184. STEWARDSHIP ORGANIZATIONS

12 (a) Participation in a stewardship organization. A manufacturer shall meet
13 the requirements of this chapter by participating in a stewardship organization
14 that undertakes the responsibilities under sections 7182, 7183, and 7185 of this
15 title.

16 (b) Qualifications for a stewardship organization. To qualify as a
17 stewardship organization under this chapter, an organization shall:

18 (1) commit to assume the responsibilities, obligations, and liabilities of
19 all manufacturers participating in the stewardship organization;

20 (2) not create unreasonable barriers for participation in the stewardship
21 organization; and

1 (3) maintain a public website that lists all manufacturers and
2 manufacturers' brands and products covered by the stewardship organization's
3 approved collection plan.

4 § 7185. ANNUAL REPORT; COLLECTION PLAN AUDIT

5 (a) Annual report. Not later than 18 months after the date a collection plan
6 has been implemented, and annually thereafter, a stewardship organization of
7 manufacturers of covered household hazardous products shall submit a report
8 to the Secretary that contains all of the following:

9 (1) A description of the collection program.

10 (2) The volume or weight by hazard category, as defined by the
11 Secretary, of covered household hazardous products collected, the volume or
12 weight of covered household hazardous products collected at each collection
13 facility or collection event, the disposition of the collected covered household
14 hazardous products, and the number of covered entities participating at each
15 collection facility or collection event from which the covered household
16 hazardous products were collected.

17 (3) The name and address of all the recycling and disposal facilities
18 where the covered household hazardous products are collected and delivered
19 and deposited.

20 (4) The weight or volume by hazard category of covered household
21 hazardous products sold in the State in the previous calendar year by a

1 manufacturer participating in a stewardship organization's collection plan.

2 Sales data provided under this section shall be exempt from public inspection

3 and copying under the Public Records Act and shall be kept confidential.

4 Confidential information shall be redacted from any final public report. If

5 manufacturers can demonstrate that they do not have Vermont specific data,

6 the stewardship organization may use national data prorated to Vermont based

7 upon Vermont's population.

8 (5) A comparison of the collection plan's performance goals, including

9 participation rate, compared to the actual performance and how the program

10 will be improved if the performance goals are not met.

11 (6) A description of the methods used to reduce, reuse, collect, transport,

12 recycle, and process the covered household hazardous products.

13 (7) The cost of implementing the collection plan, including the costs of

14 administration, collection, transportation, recycling, disposal, and education

15 and outreach.

16 (8) A description and evaluation of the success of the education and

17 outreach materials. If multiple stewardship organizations are implementing the

18 collection plan approved by the Secretary, the stewardship organizations shall

19 include a summary of their coordinated education and outreach efforts.

20 (9) Recommendations for any changes to the program.

21 (b) Collection plan audit. On or before September 1, 2030 and every five

1 years thereafter, a stewardship organization of manufacturers of covered
2 household hazardous products shall hire an independent third party to audit the
3 collection plan and the plan's operation. The auditor shall examine the
4 effectiveness of the program in collecting and disposing of covered household
5 hazardous products. The auditor shall examine the cost-effectiveness of the
6 program and compare it to that of collection programs for covered household
7 hazardous products in other jurisdictions. The auditor shall examine the
8 effectiveness of the plan in satisfying the requirement of this chapter that all
9 Vermonters have convenient and reasonable access to collection facilities or
10 collection events. The auditor shall make recommendations to the Secretary
11 on ways to increase the program's efficacy and cost-effectiveness.

12 (c) Public posting. A stewardship organization shall post a report or audit
13 required under this section to the website of the stewardship organization.

14 § 7186. ANTITRUST; CONDUCT AUTHORIZED

15 (a) Activity authorized. A manufacturer, group of manufacturers, or
16 stewardship organization implementing or participating in an approved
17 collection plan under this chapter for the collection, transport, processing, and
18 end-of-life management of covered household hazardous products is
19 individually or jointly immune from liability for conduct under State laws
20 relating to antitrust, restraint of trade, unfair trade practices, and other
21 regulation of trade or commerce under 9 V.S.A. chapter 63, subchapter 1 to the

1 extent that the conduct is reasonably necessary to plan, implement, and comply
2 with the stewardship organization's chosen system for managing discarded
3 covered household hazardous products.

4 (b) Limitations on antitrust activity. Subsection (a) of this section shall not
5 apply to an agreement among producers, groups of manufacturers, retailers,
6 wholesalers, or stewardship organizations affecting the price of covered
7 household hazardous products or any agreement restricting the geographic area
8 in which or customers to whom covered household hazardous products shall
9 be sold.

10 § 7187. AGENCY RESPONSIBILITIES

11 (a) Review and approve collection plans. The Secretary shall review and
12 approve or deny collection plans submitted under section 7183 of this title
13 according to the public notice and comment requirements of section 7714 of
14 this title.

15 (b) Criteria for plan approval.

16 (1) The Secretary shall approve a collection plan if the Secretary finds
17 that the collection plan:

18 (A) complies with the requirements of subsection 7183(b) of this
19 title;

20 (B) provides adequate notice to the public of the collection
21 opportunities available for covered household hazardous products;

1 (C) ensures that collection of covered household hazardous products
2 will occur in an environmentally sound fashion that is consistent with the law
3 or with any special handling requirements adopted by the Secretary;

4 (D) promotes the collection and disposal of covered household
5 hazardous products; and

6 (E) is reasonably expected to meet performance goals and
7 convenience standards.

8 (2) If a manufacturer or a stewardship organization fails to submit a plan
9 that is acceptable to the Secretary because it does not meet the requirements of
10 this chapter, the Secretary shall modify the submitted plan to make it conform
11 to the requirements of this chapter and place the modified draft plan on notice
12 pursuant to section 7714 of this title.

13 (c) Collection plan amendment. The Secretary, in the Secretary's
14 discretion or at the request of a manufacturer or a stewardship organization,
15 may require a stewardship organization to amend an approved collection plan.
16 Collection plan amendments shall be subject to the public input provisions of
17 section 7717 of this title.

18 (d) Registrations. The Secretary shall accept, review, and approve or deny
19 registrations required by this chapter. The Secretary may revoke a registration
20 of a stewardship organization when the actions of the stewardship organization
21 are unreasonable, unnecessary, or contrary to the requirements or the policy of

1 this chapter. The Secretary shall only approve one stewardship organization
2 for the first collection plan.

3 (e) Supervisory capacity. The Secretary shall act in a supervisory capacity
4 over the actions of a stewardship organization registered under this section. In
5 acting in this capacity, the Secretary shall review the actions of the stewardship
6 organization to ensure that they are reasonable, necessary, and limited to
7 carrying out requirements of and policy established by this chapter.

8 (f) Special handling requirements. The Secretary may adopt by rule special
9 handling requirements for the collection, transport, and disposal of covered
10 household hazardous products.

11 § 7188. OTHER DISPOSAL PROGRAMS

12 A municipality or other public agency shall not require covered entities to
13 use public facilities to dispose of covered household hazardous products to the
14 exclusion of other lawful programs available. A municipality and other public
15 agencies are encouraged to work with manufacturers to assist them in meeting
16 their collection and disposal obligations under this chapter. Nothing in this
17 chapter prohibits or restricts the operation of any program collecting and
18 disposing of covered household hazardous products in addition to those
19 provided by manufacturers or prohibits or restricts any persons from receiving,
20 collecting, transporting, or disposing of covered household hazardous products,
21 provided that all other applicable laws are met.

1 § 7189. RULEMAKING

2 The Secretary of Natural Resources may adopt rules to implement the
3 requirements of this chapter.

4 Sec. 3. AGENCY OF NATURAL RESOURCES RECOMMENDATION OF
5 REGISTRATION FEE FOR COVERED HOUSEHOLD
6 HAZARDOUS PRODUCTS

7 On or before January 15, 2024, the Secretary of Natural Resources shall
8 submit to the House Committees on Ways and Means and on Environment and
9 Energy and the Senate Committees on Finance and on Natural Resources and
10 Energy a recommended fee for the registration of stewardship organizations
11 under the covered household hazardous product program under 10 V.S.A.
12 chapter 164B.

13 Sec. 4. 10 V.S.A. § 6621a(a) is amended to read:

14 (a) In accordance with the following schedule, no person shall knowingly
15 dispose of the following materials in solid waste or in landfills:

16 * * *

17 (12) Covered household hazardous products after July 1, 2025.

18 Sec. 5. 10 V.S.A. § 7714 is amended to read:

19 § 7714. TYPE 3 PROCEDURES

20 (a) Purpose; scope.

21 (1) The purpose of this section is to establish the public notice and

1 comment requirements that the Department must follow when adopting general
2 permits, except for general permits governed by section 7712 of this chapter,
3 and when considering other permits listed in this section.

4 (2) The procedures under this section shall be known as Type 3
5 Procedures. This section governs each of the following:

6 (A) Each general permit issued pursuant to the Secretary's authority
7 under this title other than a general permit subject to section 7712 of this
8 chapter. However, this section does not apply to a notice of intent under a
9 general permit.

10 (B) Issuance of a dam safety order under chapter 43 of this title,
11 except for an unsafe dam order under section 1095 of this title.

12 (C) An application or request for approval of:

13 (i) an aquatic nuisance control permit under chapter 50 of this
14 title;

15 (ii) a change in treatment for a public water supply under chapter
16 56 of this title;

17 (iii) a collection plan for mercury-containing lamps under section
18 7156 of this title;

19 (iv) an individual plan for the collection and recycling of
20 electronic waste under section 7554 of this title; ~~and~~

21 (v) a primary battery stewardship plan under section 7586 of this

1 title; and

2 (vi) a covered household hazardous products collection plan under
3 section 7183 of this title.

4 * * *

5 Sec. 6. 10 V.S.A. § 8003 is amended to read:

6 § 8003. APPLICABILITY

7 (a) The Secretary may take action under this chapter to enforce the
8 following statutes and rules, permits, assurances, or orders implementing the
9 following statutes, and the Board may take such action with respect to
10 subdivision (10) of this subsection:

11 * * *

12 (30) 3 V.S.A. § 2810, relating to interim environmental media
13 standards; ~~and~~

14 (31) 10 V.S.A. chapter 124, relating to the trade in covered animal parts
15 or products; and

16 (32) 10 V.S.A. chapter 164B, relating to collection and management of
17 covered household hazardous products.

18 * * *

19 Sec. 7. 10 V.S.A. § 8503 is amended to read:

20 § 8503. APPLICABILITY

21 (a) This chapter shall govern all appeals of an act or decision of the

1 Secretary, excluding enforcement actions under chapters 201 and 211 of this
2 title and rulemaking, under the following authorities and under the rules
3 adopted under those authorities:

4 (1) The following provisions of this title:

5 * * *

6 (V) chapter 124 (trade in covered animal parts or products); and

7 (W) chapter 164B (collection and management of covered household
8 hazardous products).

9 (2) 29 V.S.A. chapter 11 (management of lakes and ponds).

10 (3) 24 V.S.A. chapter 61, subchapter 10 (relating to salvage yards).

11 (4) 3 V.S.A. § 2810 (interim environmental media standards).

12 * * *

13 Sec. 8. EFFECTIVE DATE

14 This act shall take effect on passage.